

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

CIRILO MARTINEZ-GARCIA, et al.,
and all others similarly situated

Plaintiffs,

v. 6:13-cv-15

MARIA PEREZ and DAHLIA
GUERRERO,

Defendants.

ORDER

This case arose when Plaintiffs, migrant agricultural workers from Mexico, alleged that Defendants underpaid them for services they rendered in Tattnall County in 2011 and 2012. ECF No. 1 at 1. After negotiations, Plaintiffs entered a settlement agreement with one of the defendants, Maria Perez. ECF Nos. 39; 39-1. That agreement contained, among other things, a requirement that Perez pay the Plaintiffs \$46,688.69. ECF No. 39-1 at 2. It also asked this Court to retain jurisdiction over the case until 2015 to ensure that Perez complied with the agreement's terms. *Id.* at 1.


This Court approved the settlement, sans one sentence—the provision retaining jurisdiction. ECF No. 41 at 2. Because garden-variety contract law would vindicate Plaintiffs' rights in the event of Perez's breach, this Court saw it unnecessary to continue its exercise of authority. *Id.* Accordingly, the Court approved the settlement agreement, dismissed the Plaintiffs' claims against Perez with

prejudice, and divested itself of jurisdiction. *Id.*

About three months later, Plaintiffs requested an order instructing the Clerk's office to enter judgment against Maria Perez, pursuant to the prior consent order. ECF No. 51. Essentially, they seek the Court's continuing involvement in a dispute that no longer hinges on the Fair Labor Standards Act and instead requires a referee for a hornbook contract claim. This involvement is exactly what the Court sought to avoid in its earlier order.

Therefore, the Court requests briefing as to whether it is still proper to order the Clerk to enter judgment in this matter. Responsive briefs should be filed within thirty days.

This 14 day of April 2014.


B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA